

LB
05/08/03
Item #22

AN ORDINANCE

97584

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION A DESIGNATED FUND AGREEMENT WITH THE SAN ANTONIO AREA FOUNDATION (“FOUNDATION”) SO THAT THE FOUNDATION MAY RECEIVE AND DISTRIBUTE FUNDS RAISED BY THE CITY TO SUPPORT THE DEVELOPMENT OF THE OFFICE OF CULTURAL AFFAIRS’ COMMUNITY CULTURAL PLAN TITLED *THE CULTURAL COLLABORATIVE: A COMMUNITY PLAN FOR SAN ANTONIO’S CREATIVE ECONOMY* (“CULTURAL PLAN”).

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WHEREAS, the Office of Cultural Affairs (“OCA”) is currently in the developmental stage of its Cultural Plan designed to develop a dynamic, implementation-oriented plan for a strong, lively and sustainable arts and cultural community and will require funding for a professional cultural planning firm to guide the development of the Cultural Plan; and

WHEREAS, the OCA has been seeking opportunities to facilitate fundraising from private entities to support the Cultural Plan and as many private entities are restricted from making donations to governmental agencies, OCA has identified the San Antonio Area Foundation as a resource to the City in receiving private donations; and

WHEREAS, the Foundation is a community foundation organized under Section 501(c)(3) of the Internal Revenue Code of 1986 and manages, invests and distributes charitable funds based on the stipulation of donors and the terms and conditions of funding agreements, with the purpose of building charitable resources for the benefit of the people of San Antonio and the surrounding region; and

WHEREAS, the Foundation is made up of a number of component funds and trusts, each of which has a specific purpose enumerated at the time of creation and tailored to meet an identified need, and entering into a Designated Fund Agreement with the Foundation would allow OCA to raise funds for its specific needs with the City designating how the funds which it has raised will be spent through the Agreement; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The terms and conditions of a Designated Fund Agreement with the San Antonio Area Foundation allowing the Foundation to receive and distribute funds raised by the City to support the development of the Office of Cultural Affairs' community cultural plan titled *The Cultural Collaborative: A Community Plan for San Antonio's Creative Economy* are hereby authorized and approved.

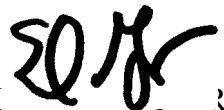
SECTION 2. The City Manager, or her designee, is authorized for a sixty day period following the effective date of this Ordinance to execute a Designated Fund Agreement with the Foundation. A copy of said Agreement, previously approved by the Board of Directors of the Foundation, is attached hereto and incorporated herein as Exhibit I.

SECTION 3. Funds collected shall be deposited in fund 29-005000 (Misc. Special Revenue-Hotel/klotel) into index code 651471 entitled "Fees to Professional Agency's Coordinator".

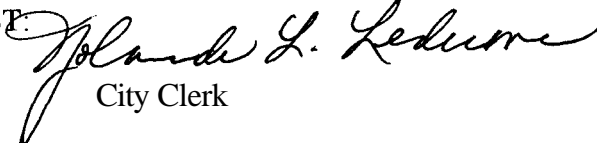
SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance of the City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific index codes and fund numbers as necessary to carry out the purposes of this Ordinance.

SECTION 5. This Ordinance shall be effective on and after the tenth day after passage hereof.

PASSED AND APPROVED this 8th day of May, 2003.

M  R

EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney